

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

**CRIMINAL MINUTES - INITIAL APPEARANCE - COMPLAINT**

**Case No.: 5:24-mj-00049**

**Date: 7/17/2024**

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**Defendant: Michael Anthony Comer, custody**

**Counsel: Don Pender, AFPD**

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PRESENT:	JUDGE:	Joel C. Hoppe, USMJ	TIME IN COURT: 2:06-2:28=22 minutes
	Deputy Clerk:	Karen Dotson and Melissa Ballweg	
	Court Reporter:	Melissa Ballweg, FTR	
	U. S. Attorney:	Ashleigh Pivonka, AUSA	
	USPO:	Monica Campbell and Jasmine Davis	
	Case Agent:	HIS SA Benjamin Thorn	
	Interpreter:	n/a	

**INITIAL APPEARANCE**

- ☒ Initial Appearance. Defendant(s) advised of charges, rights and nature of proceedings.
- ☐ Government moves to unseal case. Court grants or denies motion.
- ☒ Defendant requests appointment of counsel. CJA 23 completed; counsel appointed and present today.
- ☐ Defendant to next appear for a preliminary hearing on date and time before Judge \_\_\_\_.
- ☒ Defendant, through counsel, concedes that the government has probable cause to proceed.
- ☐ Government has no objection to defendant being released on bond.
- ☐ Deft. released on bond. Bond set at amount and /or type. Appearance bond and Order Setting Conditions of Release to follow.
- ☒ Government moves for detention.
- ☐ Government moves for continuance of detention hearing.
- ☐ Defendant(s) moves for continuance of detention hearing.
- ☐ Detention hearing continued to new hearing date.
- ☒ Detention hearing held. Record proceedings, witnesses, etc
- ☐ Findings of Fact:
- ☒ Deft. remanded to custody. Orders to follow: detention order
- ☒ Deft. notified of right to consular notification under the Vienna Convention.
- ☐ Defendant advised of penalties and sanctions for failure to appear and/or violating conditions of release.

Orders forthcoming: type or Order(s)

**Additional Information:**

Dft sworn  
Government inform of discovery obligation under Brady  
Court finds probable cause as established in the affidavit.  
Government moves for detention  
Dft moves for release and proffers release plan to the court  
Argument by parties  
Court denies bond and states reasons from the bench  
Dft remanded to USM custody

**NOTE: If the defendant is remanded to custody, a preliminary exam must be held within 14 days. If the defendant is released on bond, a preliminary exam must be held within 21 days. If the defendant waives a preliminary exam, Form AO-0468 must be executed by the defendant and his/her counsel.**